

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at WINCHESTER

KERRY M. SEALS,)
)
Plaintiff,)
)
v.) Case No. 4:06-cv-50
)
MICHAEL J. ASTRUE, Commissioner of) Judge Mattice
Social Security,)
)
Defendant.)

ORDER

United States Magistrate Judge William B. Mitchell Carter filed his report and recommendation pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). [Court Doc. No. 20] Neither party filed objections within the given 10 days.

After reviewing the record, the Court agrees with Magistrate Judge Carter's report and recommendation. The Court thus **ACCEPTS** and **ADOPTS** Magistrate Judge Carter's findings of fact, conclusions of law, and recommendations pursuant to § 636(b)(1) and Rule 72(b).

Accordingly, the Court **ORDERS** that the Commissioner of Social Security's Decision is **AFFIRMED**, Defendant's Motion for Summary Judgment [Court Doc. No. 18] is **GRANTED**, Plaintiff's Motion for Judgment on the Pleadings [Court Doc. No. 15] is **DENIED**, and the instant action is **DISMISSED WITH PREJUDICE**.

SO ORDERED this 21st day of August, 2007.

/s/ Harry S. Mattice, Jr.

HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE